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C O N F I D E N T I A L CARACAS 002852

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DEPT FOR WHA/AND, OFM, AND L/DL
HQ SOUTHCOM ALSO FOR POLAD
DEPT PASS TO AID/OTI RPORTER

E.O. 12958: DECL: 05/10/2031
TAGS: [ADPM](#) [MARR](#) [MASS](#) [PGOV](#) [PREL](#) [VE](#)
SUBJECT: DIPLOMATIC CARGO IMPOUNDED

REF: IIR-6-902-9077-06 DTG 051519Z SEP 06

Classified By: Robert Downes, Political Counselor,
for Reason 1.4(b).

SUMMARY

11. (C) The Venezuelan National Guard (GN) seized and opened part of an inbound U.S. Military Group (MILGP) shipment on August 23. The seized cargo consists of household effects (HHE) and commissary rations. A shipment of FMS materials ordered and purchased by the BRV and consisting of ejection seat components was also part of the shipment, but was cleared and removed from the area before the seizure and remain in MILGP possession. The BRV handling of this incident quickly spiraled out of control, with senior Bolivarian Republic of Venezuela (BRV) officials accusing the United States of wrongdoing. While numerous theories as to BRV motivation exist, it is unclear and will likely remain unclear what confluence of events or strategies led to the seizure. What is clear is that, due to a conscious, high-level decision by the BRV, an historically smooth diplomatic protocol has been compromised, and could have lasting ramifications. END SUMMARY

HOW IT NORMALLY WORKS

12. (C) The Military Group (MILGP) receives a support C-17 flight every two months, normally carrying household effects (HHE) for military staff assigned to the Embassy, as well as commissary rations. Dangerous military cargo can be carried on these flights. MILGP has received this support for decades and has routinely enjoyed the administrative and logistical support of the BRV. On August 23, MILGP followed standard procedures, requesting and receiving clearance for the incoming aircraft, as well as for all vehicles and personnel picking up the cargo. On this occasion, as in the past, airport and National Guard (GN) personnel allowed the convoy to pass through customs and agriculture checks without incident.

HOW IT DIDN'T WORK THIS TIME

13. (C) Upon exiting the airport, the convoy consisting of four trucks split into two convoys, one each of two tractor-trailers and two smaller trucks. While the two smaller trucks, carrying a few HHE items and the FMS

material, reached Caracas without incident, the two larger trucks proceeded to a holding area as the route between the airport and Caracas is only open to heavy traffic during certain hours. It was during this wait that the GN approached the heavy trucks, initially saying there was a paperwork issue and directed the trucks to return to the airport to clear up some customs problems. Threats to open the crates came from various angles, and, at one point during the night, a GN Captain even distributed tools to his soldiers with orders to open the crates.

14. (C) Caracas MILGP Commander spoke with the GN Core 5 Commander, Major General Luis Matto, who was at the airport, in the early morning hours of August 24. MILGP Commander underlined that the containers had been properly cleared and in any case were protected under the Vienna Convention on Diplomatic Relations (VCDR). Matto indicated that Minister of Defense Baduel had specifically sent him to open the containers and that they had "clearance" from the MFA that the cargo was to be opened. Once two Venezuelan prosecutors validated customs agents' previous, erroneous declarations that the cargo was not diplomatic, and over the repeated objections of the MILGP transportation NCO present at the scene, the cargo was opened and the containers emptied. The MILGP NCO departed the scene at this time, to avoid any perception that his presence could be misconstrued as acceptance of the BRV actions, including under Article 36 of the VCDR.

HIGH-LEVEL INVOLVEMENT

15. (C) The fact that Minister of Defense Baduel ordered a two-star general out to the airport in the middle of the

night conclusively demonstrates this whole matter was a conscious decision by senior BRV leadership. Minister of Interior and Justice Jesse Chacon held a press conference on August 25, during which he called out individual Embassy employees (both officers and FSNs) and accused the USG of bringing dangerous, even subversive contraband into the BRV under the guise of "diplomatic cargo."

16. (C) Then-Vice Foreign Minister (VFM) for North American and Multilateral Affairs MariPili Hernandez received Charge and visiting Special Coordinator for Venezuela on August 28. Hernandez's reaction to our broaching of the subject suggested she was not fully in the loop and did not have all the facts. Even as she emphasized the need to maintain these interactions in diplomatic channels and out of the press, Hernandez had just issued a press release regarding her note of protest to the Embassy on this very incident.

17. (C) Charge spoke September 13 with Rene Arreaza, Chief of Staff to Vice President Rangel, regarding the release of the impounded HHE. Arreaza indicated he had talked with Rangel, who had, in turn, talked with Chavez on the subject. According to Arreaza, new VFM Jorge Valero Briceno (MariPili's successor) has been directed to meet with us following his return from the NAM conference on or about September 15 to resolve the issue. Arreaza reported that Rangel had spoken directly with Customs chief Jose Vielma Mora, who reiterated that there was no basis on which to hold the seized cargo. (NOTE: While the impounded material physically resides with SENIAT (BRV Customs), they have told MILGP personnel that prosecutor Damaso Garcia in the Public Ministry is responsible for approving the release of the material. END NOTE)

POSSIBLE EXPLANATIONS

18. (C) There are a number of possible explanations for BRV behavior in this case. We do not have all the answers, but a couple of basic points bear noting.

-- This was not a matter of a junior GN officer exceeding his authority. The fact that a GN major general was at the airport in the middle of the night, stating that he was acting on orders of the MOD, establishes rather that this was a planned activity by the BRV. Moreover, the rapid, detailed engagement by three different BRV ministries, all suggesting nefarious USG motives, supports this conclusion. (Interestingly, the MOD has had little to say on this issue, letting the MFA, MOJ, and even the AG carry the load.)

-- This harassment is consistent with two reliable behaviors by the BRV in this pre-electoral period: first, its dedicated effort to posit a purported conflict between the United States and Venezuela; and second, its continuing effort to stage events to distract attention from intractable issues of governance (crime, housing, etc.), where the BRV's record is poor.

¶9. (C) Among the explanations we have heard for why the BRV undertook such action are:

-- an effort to embarrass the United States by "discovering" munitions (i.e., the ejector seat materiel) in the shipment;

-- a related effort to suggest a fear of military coup plotting; (Minister of Interior Jesse Chacon harped on this theme in length in his intervention.)

-- an effort to embarrass the Venezuelan Air Force, traditionally viewed as the most pro-American armed service; and

-- a distraction from the BRV's current problems of governance.

COMMENT

¶10. (C) Even in the embattled environment surrounding USG-BRV relations, we have enjoyed relative ease with regard to diplomatic shipments prior to this incident. Post will continue to operate through available diplomatic channels to retrieve all of the seized cargo.

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